

Paris City Commission
Commission Chambers
Paris, Kentucky
June 10, 2014

The Paris City Commission met in regular session at 9:00 a.m. on Tuesday, June 10, 2014. Mayor Michael Thornton called the meeting to order and the Pledge of Allegiance was recited.

Present: Commissioner Jo Ann George, Commissioner Tim Gray, Commissioner Wallis Brooks, Commissioner Stan Galbraith, City Manager John Plummer, Asst. City Manager Mike Withrow, City Attorney Bryan Beauman, City Clerk Cheryl Dryden and Finance/Utilities Director Jim McCarty.

Approve Agenda

Motion made by George, seconded by Brooks and unanimously carried to approve the agenda as presented.

Approve Minutes

Motion made by Brooks, seconded by George and unanimously carried to approve minutes of the May 27, 2014 regular meeting.

Public Comment

Keith Lenox requested permission for the YMCA to have a kid's triathlon on July 19, 2014 from 9 a.m. to 10:30 a.m. using the left lane on High Street and the left parking space lane on Main Street from Ninth to Thirteenth Street. Police Chief Kevin Sutton advised sign boards would be set up and officers would be patrolling the intersections. Motion made by Gray, seconded by George and unanimously carried to approve the event as requested on the morning of July 19th.

Clayton Brooks came before the commission concerning weekend activities in the downtown area. Plummer stated the city was looking into the matter of food trucks selling directly from the truck to individuals on Main Street. Withrow referenced different ordinances applicable to the issue that included no retail selling from the street, no parking of ¾ ton trucks on Main Street between 2nd and 10th Streets, no parking of trucks one ton or over for longer than sixty minutes between the hours of 6 p.m. and 6 a.m. and the peddler's ordinance that prohibits any stationary location on a public street or in a congested area.

Communications

Motion made by Brooks, seconded by George and unanimously carried to accept and file the retirement notices effective June 30, 2014 of Kathy Metz and Elizabeth Sledd.

Consent Agenda

Motion made by Brooks, seconded by George and unanimously carried to accept the Paris Youth Baseball financials for January through April 2014. Plummer reported Jennifer Arnett had failed to respond to his letter requesting written confirmation that the city's baseball league program was operating according to the rules under Cal Ripken Division of Babe Ruth Baseball.

Old Business

Motion made by Brooks, seconded by Galbraith and unanimously carried to adopt the following ordinance amending the number of deputy city alcoholic beverage control administrators.

CITY OF PARIS ORDINANCE NO. 2014-6

AN ORDINANCE AMENDING THE NUMBER OF DEPUTY CITY ALCOHOLIC BEVERAGE CONTROL ADMINISTRATORS

WHEREAS, the City has trained multiple law enforcement officers to assist in the timely administration of the duties of KRS Chapter 421; and

WHEREAS, the appointment of additional deputies to assist as ABC administrators will allow the City to more efficiently serve its citizens

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PARIS BOARD OF COMMISSIONERS THAT THE CITY OF PARIS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

§ 62.003 CITY ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR; DEPUTIES

(A) There is hereby created the office of the City Alcoholic Beverage Control Administrator (hereinafter in this chapter referred to as the administrator), who shall have the duties and functions prescribed by KRS Chapter 241. The administrator may or may not be an officer or employee of the city, and shall be appointed by the City Manager. He shall also have such further duties and functions as are prescribed by this chapter.

(B) There are hereby authorized ~~two (2)~~ **seven (7)** Deputy City ABC Administrators for Enforcement, who shall be ABC qualified city Police Officers, appointed by municipal order with the approval of the city ABC Administrator. The duties of such deputies shall be as determined by the city ABC Administrator, and are in addition to Police Officer duties of the city, but shall primarily consist of enforcement of state and city laws, ordinances, and regulations in the area of alcoholic beverage control.

The foregoing Ordinance was introduced and read for the first time as the City Commission's regular meeting of May 27, 2014. Read for the second time, adopted and approved at its regular meeting of June 10, 2014.

MAYOR MICHAEL THORNTON

ATTEST:

CITY CLERK

Motion made by Galbraith, seconded by Brooks and unanimously carried to adopt the following ordinance regarding the composition of the Board of the Paris-Bourbon County Economic Development Authority.

**CITY OF PARIS
ORDINANCE NO. 2014-7**

**AN ORDINANCE REGARDING THE COMPOSITION OF THE BOARD
OF THE PARIS-BOURBON COUNTY ECONOMIC
DEVELOPMENT AUTHORITY**

WHEREAS, the Board of the Paris-Bourbon County Economic Development Authority seeks to amend its bylaws to add a seventh member,

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PARIS BOARD OF COMMISSIONERS THAT THE CITY OF PARIS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

§ 22.201 COMPOSITION; APPOINTMENT; TERM

(A) The Paris-Bourbon County Economic Development Authority shall be composed of ~~six (6)~~ **seven (7)** members, pursuant to KRS 154.50-316, and three (3) of these members shall be appointed by the Mayor as provided by KRS 154.50-326. **A fourth member of the Board shall be jointly appointed by the Mayor and Bourbon County Judge-Executive.**

(B) Members of the Authority shall serve for a term of four (4) years each, and until their successors are appointed and qualified, provided, however, that initial appointments shall be made so that one (1) member is appointed for two (2) years, one (1) member for three (3) years, and one (1) member for four (4) years.

(C) Upon expiration of the staggered terms, successors shall be appointed for a term of four (4) years.

(D) No Authority member may be appointed who retains or acquires an interest in any business or industry which the Authority is encouraging to located in Bourbon County and no Authority member may be appointed who retains or acquires an interest in property which the Authority is seeking to acquire or acquires pursuant to the purpose of KRS 154.50-301 to 154.50-346. Such member or members may be replaced by the appointing authority for cause to include such things as misconduct or upon conviction of a felony.

The foregoing Ordinance was introduced and read for the first time as the City Commission's regular meeting of May 27, 2014. Read for the second time, adopted and approved at its regular meeting of June 10, 2014.

MAYOR MICHAEL THORNTON

ATTEST:

CITY CLERK

Motion made by Gray, seconded by Thornton and unanimously carried to adopt the following ordinance related to changing the zone for certain real property containing a total of 2.81 acres, more or less, owned by Sarah Leer for said property located at 1714 Main Street, Paris, Bourbon County, Kentucky, with zone map amendment from I-2 (Industrial) to B-2 (Business).

CITY OF PARIS, KENTUCKY
ORDINANCE NO. 2014-8

AN ORDINANCE RELATED TO CHANGING THE ZONE FOR CERTAIN REAL PROPERTY CONTAINING A TOTAL OF 2.81 ACRES, MORE OR LESS, OWNED BY SARAH LEER FOR SAID PROPERTY LOCATED AT 1714 MAIN STREET, PARIS, BOURBON COUNTY, KENTUCKY, WITH ZONE MAP AMENDMENT FROM I-2 (INDUSTRIAL) TO B-2 (BUSINESS).

WHEREAS, the application ZMA-14-01 of Hutton Growth One, LLC for property owned by Sarah Leer (the "Applicant"), having been filed with the Paris Bourbon County Joint Planning Commission (the "Joint Planning Commission") requesting a zoning classification change for 2.81 acres, more or less, from I-2 (industrial) to B-2 (business) (the "Property"); and

WHEREAS, the application ZMA-14-01 and this zone change amendment was presented to the Paris-Bourbon County Joint Planning Commission (the "Joint Planning Commission") at its scheduled meeting on May 22, 2014, and with a quorum present, the Joint Planning Commission having voted to recommend approval of the zone change request of the Property as evidenced by a report dated May 23, 2014 from the Joint Planning Commission to the City of Paris, and as further evidenced by additional documentation provided to the City, including the staff report concerning said application; and

WHEREAS, the Board of Commissioners of the City of Paris, Kentucky has considered the evidence presented at the public hearing held by the Joint Planning Commission together with the recommendations of the Joint Planning Commission and its staff as set out in the records of Joint Planning Commission; and

WHEREAS, the Joint Planning Commission has made findings that: (1) although not in compliance with the future land use map, the proposed zoning classification is appropriate, (2) the existing zoning classification is inappropriate and that the proposed zoning classification is appropriate, (3) the proposed zoning and the existing development are compatible with the surrounding existing zoning and land uses; and (4) the Planning Staff is in agreement (see staff report); and

WHEREAS, the Board of Commissioners concurs in and adopts the findings of the Joint Planning Commission for the zone change in ZMA-14-01, and approves and accepts the recommendations of the Joint Planning Commission as set out in said minutes and records, together with the amended and additional conditions of approval that have been agreed to by the Applicant (the “Agreed Upon Conditions”), as set forth below;

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PARIS AS FOLLOWS:

Section 1: That in accordance with KRS 100.211, the zone change request for the Property is approved.

Section 2- That the Paris-Bourbon County Zoning Ordinance be amended to show a change in the zoning classification for the Property of 2.81 acres, more or less from I-2 (industrial) to B-2 (business).

Section 3 - That said property hereby rezoned is more fully described as follows:

SEE LEGAL DESCRIPTION OF PROPERTY 2.81 ACRES, MORE OR LESS, WHICH IS THE SUBJECT OF THIS REZONING, WHICH IS CONTAINED IN DEED FILED WITH THE BOURBON COUNTY CLERK AT BOOK 230, PAGE 498 DATED JANUARY 14, 1998 AND WHICH IS INCORPORATED HEREIN, AND WHICH IS MADE A PART HEREOF BY REFERENCE AS EXHIBIT “A”.

Section 4 - That the Paris-Bourbon County Joint Planning Commission is hereby directed to show the zoning classification change on the official zone map and to make reference to the number of this Ordinance.

Section 5 – Agreed Upon Conditions: the Applicant having agreed to the following conditions at the Paris Board of Commissioners meeting held on May 27, 2014, which are as follows: approval of the Development Plan with the Findings of Fact of the Planning Commission.

Section 6 - That this Ordinance was read for the first time on the May 27, 2014 and read for the second time on the June 10, 2014, and becomes effective on the date of its publication.

Section 7 - If any provision of this Ordinance for any reason or to any extent be invalid or unenforceable, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

ENACTED BY THE PARIS CITY COMMISSION immediately following the second reading of this Ordinance and published on the 18th day of June, 2014.

Mayor Michael Thornton

ATTEST:

City Clerk, Cheryl Dryden

Motion made by Brooks, seconded by Gray and unanimously carried to adopt the City of Paris, Kentucky annual budget for fiscal year July 1, 2014 through June 30, 2015 estimating revenues and resources and appropriating funds for the operation of city government.

New Business

Discussion of the Planning Commission Comprehensive Plan Goals and Objectives was scheduled for the next meeting.

An ordinance related to the amendment of employee pay scale and classification ranges was given first reading.

An ordinance concerning the sale of alcoholic beverages within the City of Paris on Election Day was given first reading.

Motion made by Brooks, seconded by Galbraith and unanimously carried to adopt the following resolution requesting appointment of Reverend William Garr and Wiley Faw to the City of Paris Board of Adjustment to fulfill unexpired terms.

**CITY OF PARIS
RESOLUTION 2014-11**

A RESOLUTION REQUESTING APPOINTMENT OF REV. WILLIAM GARR AND WILEY FAW TO THE CITY OF PARIS BOARD OF ADJUSTMENT TO FULFILL UNEXPIRED TERMS.

Whereas, pursuant to KRS 100.217, when certain vacancies on the City of Paris Board of Adjustment exist, the Joint Paris-Bourbon County Planning Commission may fill the vacancies.

Be it resolved by the City of Paris, Kentucky:

Section 1. That the City Commission requests the Planning Commission to fill the unexpired terms of members of the Board of Adjustments as follows:

Rev. William Garr: to a term that will expire April 30, 2017

Wiley Faw: to a term will expire April 30, 2017.

Section 2. That this Resolution shall take effect upon its passage as required by law.

Enacted: Regular Meeting, June 10, 2014.

CITY OF PARIS

Michael Thornton, Mayor

ATTEST:

Cheryl Dryden, City Clerk

Financial Business

Motion made by Galbraith, seconded by Gray and unanimously carried to approve payment of the following invoices:

GENERAL FUND June 10, 2014		DESCRIPTION
A ACTION PEST CONTROL	\$ 105.00	MAINTENANCE - MAY
ARNETT, JENNIFER	\$ 10,000.00	BASEBALL PROGRAM - MAY & JUNE
ARNETT, JENNIFER	\$ 3,106.67	REIMBURSE PROGRAM EQUIPMENT
AT&T	\$ 96.88	SERVICE - POLICE
AT&T	\$ 2,027.85	SERVICE
BEHELER, DON	\$ 125.00	RENT - JUNE
BARR, ROBERT	\$ 1,000.00	RELEASE OF STREET CUT BOND
BB&T	\$ 6,756.80	VEHICLE LOAN - POLICE
BLUEGRASS KESCO	\$ 200.00	WATER TREATMENT PRODUCTS - PMC
BME	\$ 3,441.65	HVAC - PMC
BO CO FISCAL COURT	\$ 21,708.62	P&Z BILLING - OCT '13 - MAR '14
BO CO FISCAL COURT	\$ 4,555.04	DES BILLING - OCT '13 - MAR '14
BO CO FISCAL COURT	\$ 4,939.76	PART-TIME ACO BILLING - OCT '13 - MAR '14
BOURBON LIMESTONE	\$ 188.43	DGA - STREET
CITIZEN ADVERTISER	\$ 771.00	ADS - MAY
CLEAN SWEEP JANITORIAL SERVICE	\$ 1,300.00	MAY
COMBINED UTILITIES	\$ 7,179.69	SERVICE
COMPUTER AID INTL	\$ 125.00	WEB HOSTING - JUNE
EADS HARDWARE	\$ 2,888.25	STIHL TRIMMERS, BLOWERS, MISC - STREET
ENSITE LLC	\$ 1,718.00	DRUG SCREENS
FLEET ONE	\$ 13,619.52	FUEL
FRANK SHOOP	\$ 1,709.37	REPAIR - BATTALION 1 - FIRE
FRENCH'S LAWN CARE	\$ 2,795.00	JUNE
GALLS	\$ 1,097.21	HOLSTERS, ETC - POLICE
GALLS	\$ 1,258.69	BOOTS, UNIFORMS - FIRE
HAMILTON HINKLE PAVING	\$ 490.57	SURFACE MATERIAL - STREET
HILLYARD KENTUCKY	\$ 553.46	TRASH BAGS, TOWELS, ETC - PMC
HINKLE CONTRACTING CO	\$ 240.80	SURFACE MATERIAL - STREET
JOHN DEERE FINANCIAL	\$ 181.09	MOWER PARTS - STREET
KENTUCKY MOTORS	\$ 17.72	HEADLIGHT - FIRE
KENTUCKY UNIFORMS	\$ 558.45	UNIFORMS - FIRE
LANDSCAPERS CORNER	\$ 912.00	PLAYGROUND MULCH
LOVELL'S PLUMBING	\$ 60.00	LEAK REPAIR - PMC
MANN CONSULTANT SERVICES	\$ 600.00	MAY
MARTIN'S SANITATION	\$ 1,050.00	TOILET RENTALS - MAY
MASTIN'S AUTO SERVICE	\$ 567.60	REPAIR - BATTALION 1 - FIRE
MASTIN'S AUTO SERVICE	\$ 2,351.70	REPAIRS - POLICE, WATER, METER READERS
OFFICE DEPOT	\$ 227.32	OFFICE SUPPLIES
OVERHEAD DOOR CO OF LEX	\$ 267.40	REPAIR GARAGE DOOR - STA 1
PARIS BO CO E911	\$ 15,000.00	# CONTRIBUTION - JUNE
PARIS BO CO EMS	\$ 22,200.00	CONTRIBUTION - JUNE
RAY FOLEY HENSLEY & CO	\$ 495.00	COMPLETION OF 2013 UFIR
ROE EXCAVATING	\$ 600.00	TOPSOIL - STREET, WATER
SAUL MINEROFF ELECTRONICS	\$ 375.95	IPHONE - POLICE
SMITS GREENHOUSE	\$ 263.85	FUNERAL, PLANT POTS @ PMC

TECH RESOURCES	\$	95.00	ADD MINUTES TO WEB PAGE
TIME WARNER	\$	279.19	SERVICE
TRADITIONAL BANK	\$	3,108.09	LOAN - JUNE
VANOVER, RON	\$	803.00	P&Z STUDY - MAY
VERIZON WIRELESS	\$	1,241.98	MOBILE BROADBAND - POLICE, FIRE
VERIZON WIRELESS	\$	1,089.39	SERVICE
WILLIAMS, ROB	\$	64.17	REIMBURSE RECORDER PURCHASE
WILLIAMS' TOWING	\$	300.00	TOW TRACTOR FROM STATE GARAGE - STREET
WOODFORD SPEARS & SONS	\$	187.13	SEED & STRAW - STREET, WATER
XBE INC	\$	6,995.00	XEROX WIDE FORMAT SCANNER - ASALON
ZIEGLER TIRE	\$	1,111.72	TIRES - POLICE, STREET
VISA	\$	351.11	208.00 DELTA AIR - MCCARTY
			143.11 HAMPTON INN VANDERBILT - MCCARTY

**COMBINED
UTILITY
JUNE 10, 2014**

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>DESCRIPTION OF PURCHASE</u>
AIRGASS-MID AMERICA	\$ 274.65	OTHER SUPPLIES/WWTP
ASPLUNDH TREE	\$ 1,200.00	MAINTENANCE AGREEMENTS/ELEC.DIST.
BB&T GOVERNMENTAL FINANCE	\$ 2,899.33	PAYMT 17 OF 48/GARBAGE TRUCK
BOURBON LIMESTONE CO	\$ 736.76	BUILDING MAINTENANCE/ELEC.PROD.
BRENNTAG MID-SOUTH INC	\$ 2,398.50	TREATMENT CHEMICALS/WWTP & WATER
BROWNSTOWN ELECTRIC SUPPLY	\$ 754.50	SPECIFIC SUPPLIES/ELEC.DIST.
CI THORNBURG CO INC	\$ 819.70	SPECIFIC SUPPLIES/WATER & WWTP
COLUMBIA GAS	\$ 94.46	UTILITIES/WWTP/RECYCLING CENTER
FAIRBANKS MORSE ENGINE	\$ 586.58	EQUIPMENT PARTS/ELEC.PROD.
F.J. HALBE COMPANY	\$ 8,613.80	EQUIPMENT PARTS/ELEC.PROD.
FASTENAL COMPANY	\$ 14.14	SUPPLIES/WATER & WWTP
FLORENCE WINWATER WORKS	\$ 2,303.58	SPECIFIC SUPPLIES/WATER
FOUSER ENVIRONMENTAL Sv	\$ 2,559.00	LAB TESTING/WATER & WWTP
FRALEY AUTOMOTIVE	\$ 581.16	VEHICLE PARTS/WWTP
HACH COMPANY	\$ 685.95	TECHNICAL SUPPLIES/WATER
JOHN GAYLOR	\$ 350.00	VEHICLE MAINTENANCE/ELEC.DIST.
KENTUCKY STATE TREASURER	\$ 5,000.00	SURPLUS PROPERTY/WATER/WWTP/ELEC.
KENTUCKY UTILITIES	\$ 8,805.66	UTILITIES/WATER & WWTP
KENTUCKY INFRASTRUCTURE AUTH	\$ 192,927.78	KIA WIRE TRANSFER/UTILITY
LEE MASONRY PRODUCTS	\$ 2,416.20	BUILDING MAINTENANCE/ELEC.PROD.
LIVING WATERS CO INC	\$ 2,230.72	MAINTENANCE AGREEMENT/WWTP
MCCARTY, JAMES	\$ 297.52	REIMBURSE TRAVEL/UTILITIES
NEPTUNE EQUIPMENT	\$ 362.99	SPECIFIC SUPPLIES/WATER
N-FRONT CONSULTING	\$ 4,128.49	PROFESSIONAL FEES/ELEC.PROD.
PARTSMASTER	\$ 412.87	SMALL TOOLS/WWTP
QUILL	\$ 355.19	OFFICE SUPPLIES/WWTP
RECORDER CHARTS & PENS	\$ 252.12	PROFESSIONAL FEES/ELEC.DIST.
SOUTHERN STATES	\$ 72.25	TREATMENTS CHEMICALS/WWTP
TIME WARNER	\$ 119.90	COMMUNICATIONS/WATER/ELEC.DIST.
SWEEP ALL INC	\$ 8,116.66	CONTRACTED SERVICES/SANITATION
VULCAN INDUSTRIES	\$ 798.00	EQUIPMENT PARTS/WWTP
WESCO DISTRIBUTION INC	\$ 874.52	EQUIPMENT UPGRADE/ELEC.DIST.

Motion made by Brooks, seconded by Gray and unanimously carried to approve the April financials for the General Fund and Combined Utilities as presented.

McCarty reported an audit of the city by the Internal Revenue Service had resulted in recommendations in the handling of deferred comp and the baseball program.

Motion made by Galbraith, seconded by Brooks and unanimously carried to accept letter of understanding with Ray, Foley, Hensley & Company, LLC to conduct the current fiscal year audit in an amount not to exceed \$22,000. Consensus was to request proposals for next year's auditing service.

McCarty gave an update on the KU settlement conference held last week in Washington and noted that KU wanted definite answers by mid-July on the number of rescinding municipalities.

Reports of Staff & Elected Officials

Withrow reported two trailers scheduled for demolition at the trailer park on Peacock Road and the demolition of a house on Williams Street was not directed by the city.

Police Chief Kevin Sutton reported the Central Kentucky Police Chief and Sheriff Association looking at forming an inter-local agreement that would offer the ability to work together in law enforcement and allow detectives to make arrests in other counties.

Battalion Chief Jeff McFarland reported the loaner ambulance (replacing the ambulance scheduled for remount) expected to arrive today and a noted increase in transfers with the closing of the hospital in Nicholas County.

Main Street Interim Manager Steve Walton reported on the free summer concert series and presented applications for encroachment permit for each event. Motion made by Thornton, seconded by George and unanimously carried to approve the three days presented, June 19th, July 17th and August 21st for the closing of Main Street from 4th Street to 3rd Street from 4 p.m. to 9 p.m.

Beauman reported an update on the train depot planned for the next meeting and that he would be unable to attend the next two meetings.

George inquired on the utility rate survey, the Memorial Building and reported mowing issues on Cross Creek and 8th Street. McCarty advised the utility rate report due in late June and Withrow advised Marcus Gaddis was making progress on the Memorial Building. George thanked Steve Walton for his cleanup efforts on Main Street.

Gray inquired on water loss percentage and whether the parks, schools and cemeteries were metered. McCarty advised a 5% municipal loss is included in the water loss percentage and all the cemeteries are metered except the Catholic cemetery.

Brooks recommended contacting George Crutcher in regard to mowing of the vacant lot on Paton Street.

Galbraith inquired on new water loss figures and noted the next joint city/county meeting scheduled for June 26th. McCarty reported the current water loss at 35.3%.

Thornton proposed identifying and prioritizing the list of fire hydrants needing attention.

Executive Session

Motion made by Thornton, seconded by George and unanimously carried to enter an executive session at 10:45 a.m. to discuss potential real property acquisition for which publicity at present stage might or would be likely to affect the value, per KRS 61.810 (1) (b).

Noting no action taken in the executive session, George moved, Brooks seconded and motion unanimously carried to resume regular session.

Adjournment

Galbraith moved, George seconded and motion unanimously carried to adjourn at 11:10 a.m.

Mayor

Attest:

City Clerk

